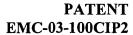
E /			Application No.:	10/6	579,726	Y.A.
4	TRANSMITTAL		Filing Date:		ober 6, 2003	XX
FORM			First Named Inventor:	David Haase, et al		
			Confirmation No.	2876	6	
THE REAL PROPERTY.			Group Art Unit	2187	7	
			Examiner:	Fari	rokh, Hashem	
			Customer No.	242	27	
Total	Number of Pages in this Submission	: 19	Docket No.	EM	C-03-100CIP2	
]	ENCL	OSURES (check all that app	oly)		
	Authorization for the Commissioner to charge Deposit Account No. 05-0889 for fees associated with this transaction (in duplicate)		Assignment Recordation Cover Sheet		Petition for Revival of an Unintentionally Abandoned Application [37 CRF 1.137 duplicate)	
\boxtimes	Response to Notice of Non- Compliant Amendment	b	Declaration/Power of Attorney		Fee Transmittal (in duplicat	te)
\boxtimes	Amendment/Response		Associate Power of Attorney		Form PTOL-85B, Part B -Issue Fee Payment Transmittal," (in duplicate)	
	✓ After Final✓ Affidavits/Decl.		Revocation of Power of Attorney		Express Abandonment Requ	uest
\boxtimes	Extension of Time Request for 1 Month (in duplicate)		Letter to Official Draftsperson with three (3) sheets of redlined changes to		Status Inquiry	
	Request for Continued Examination Transmittal		drawings Copy of PTO 948, "Notice of Draftsperson's Patent	⊠	Certificate of First Class N	Mailing
	Information Disclosure Statement		Review" Certified Copy of Priority Document(s)		Certificate of Express Mail	Mailing
	Response to Missing Parts		Additional Enclosures:	\boxtimes	Postcard	
	SIGNATU	RE OF	APPLICANT, ATTORNEY	OR A	GENT	
919106 Cel A /21						
Date: August 9, 2006 Carl A. Giordano, Esq. (Reg. No. 41,780) EMC Corporation Office of the General Counsel Tel: (914) 798-8505 44 S. Broadway, 7 th flr. Fax: (914) 948 6270 White Plains, NY 10601						
	CERTIFICAT	E OF I	MAILING OR TRANSMISSI	ON [3	37 CFR 1.8]	
I hereby certify that this correspondence and the above-referenced enclosures are being:						
Deposited with the United States Postal Service on the date shown below with sufficient postage as Express Mail Service in an envelope addressed to: Mail Stop: AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.						
Transmitted by facsimile on the date shown below to the Patent and Trademark Office at (703)						
	8/9/06		Ul B. Ith			
Date:	August 9, 2006	Sig	gnature			
Carl B. Tegtmeier Typed or printed name of person signing certificate						
r yped of printed frame of person signing certificate						





IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:

David Haase, et al

GROUP ART UNIT:

2187

U.S.S.N.:

10/679,726

CONFIRMATION NO.:

2876

FILING DATE:

October 6, 2003

EXAMINER:

Farrokh, Hashem

CUSTOMER NO.

24227

TITLE:

SYSTEM AND METHOD FOR MANAGING DATA ASSOCIATED WITH COPYING AND RECOVERY PROCEDURES IN A DATA STORAGE

ENVIRONMENT

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to: Mail Stop: AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on August 9, 2006.

Mail Stop: AF

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Sir:

This is in response to the Notice of Non-Compliant Amendment mailed July 31, 2006 which was issued in response to applicant's Response to Office Action filed on July 13, 2006.

Applicant: David Haase, et al.

U.S.S.N.:

10/679,726

Filing Date: October 6, 2003

EMC Docket No.: EMC-03-100CIP2

The Response to Office Action filed on July 13, 2006 contained a typographical error inadvertently listing the U.S. Serial No. for this application as '10/679,662' in the header section on pages 2 through 12. The correct U.S. Serial No. was recorded on each of the transmittal sheets and on the first page of the Response.

The Response to the Office Action is hereby submitted with the correct U.S. Serial No. '10/679,726' listed in the header on pages 2 through 12. No new matter has been added.

As per a telephone conversation with the Examiner on August 8, 2006 with the attorney noted below, the Notice of Non-Compliant Amendment should have been directed to this application (U.S. Serial No. 10/679,726; Docket No. EMC-03-100CIP2) and not the application listed on the Notice of Non-Compliant Amendment (U.S. Serial No. 10/679,662; Docket No. EMC-03-100CIP1). It was agreed that the Examiner would issue an Interview Summary acknowledging the error in the serial number contained on the Notice of Non-Compliance and a note would be placed in the file wrapper of serial no. 10/679,662 to this effect.

It was also discussed that a Terminal Disclaimer was filed with the Response to Office Action, dated July 13, 2006. The Examiner indicated that the Terminal Disclaimer was entered into the record. Accordingly, a new Terminal Disclaimer is not being filed herewith. However, it is believed that the accompanying Response is fully compliant in response to the Office Action dated April 13, 2006.

This response is being filed with a petition for a one month extension of time for filing a response and the appropriate fee. Any additional fees that may be required for consideration of

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Applicant: David Haase, et al.

U.S.S.N.: 10/679,726 Filing Date: October 6, 2003

EMC Docket No.: EMC-03-100CIP2

this paper are authorized to be charged as indicated on the one originally-executed and one copy of the Transmittal Form filed herewith.

Respectfully submitted,

Dated: 9/9/06

Carl A. Giordano, Esq. (Reg. No. 41,780)

Attorney for Applicants

EMC Corporation

Office of General Counsel 44 S. Broadway, 7th flr. White Plains, NY 10989 (914) 798 8505

Please direct all communications to:

EMC Corporation Office of General Counsel 176 South Street Hopkinton, MA 01748